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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,112	01/16/2004	Kyung-Chul Woo	0630-1935P	4993
2292 7590 08/23/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER PATEL, RITA RAMESH	
			ART UNIT	PAPER NUMBER
			1746	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/758,112

Applicant(s)

WOO ET AL.

Examiner

Rita R. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/27/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Applicant's Arguments / Amendments

1. This Office Action is responsive to the amendment filed on 5/17/07. Claims 1 and 3-21 are pending. Claim 2 has been cancelled. Claims 1, 3, 4, 6-9, and 11-13 have been amended.

In light of the amendments to the claims, the former 35 USC 102 and 103 rejections over Arai et al. (US Patent No. 6,820,446), Inoue (US Patent No. 3,518,174), and Lakdawala et al. (US Pub. No. 2006/0060218 A1) are hereby withdrawn. However, upon further consideration, the instant claims are rejected under new grounds of rejections and thus, claims 1 and 3-21 are finally rejected for the reasons of record.

Applicant's arguments in the Remarks filed 5/17/07 are drawn to the former rejection and are now considered moot because of a new grounds of rejection taught herein.

Information Disclosure Statement

2. The information disclosure statement filed 8/27/04 has hereby been considered, including consideration of Document number EP-1036874 since Applicant has provided an English translation on 5/17/07 of this reference.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engel et al. herein referred to as "Engel" (US Patent No. 5,097,556).

Engel teaches laundry washing machines 10, conventionally known in the art to have a tub and drum therein, as well as a water supply line 12 (inflow passage) and a holding tank 14 (discharge box) connected thereto. The holding tank 14 has ozonators formed therewith by electrodes 56 with a high voltage corona generator attached. Filters 28, 30 filter water at a recirculation path, however, it would have been obvious to one of ordinary skill in the art at the time of the invention to have another filter at the inflow passage. Although Engel indicates using filters 28, 30 at a recirculation path, it would have been obvious to one of ordinary skill in the art at the time of the invention to duplicate these filters such that one is located at the inflow passage for achieving already known in the art means for filtering. It is well settled that the mere duplication of parts has no patentable significance unless a new and unexpected result is produced. *In re Harza*, 124 USPQ 378 (CCPA 1960).

Moreover, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the electrodes and high voltage generator to the washing

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machine of Engel, such that they formed a singular piece and that the electrodes/generator were formed within the washing tub. Such a combination of parts would have been obvious to one of ordinary skill in the art at the time of the invention since combining two parts to form as one makes the apparatus more compact. Also, Engel teaches this device to be capable for use with multiple washing machines, for example in a Laundromat setting, however for use with a singular machine, for example for personal use at home, it would have been obvious form the electrode/generator singularly with the washing machine. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make integral the electrodes/generator with the washing machine since it has been held that forming in one piece an article which has formerly been formed in two pieces and put together involves only routine skill in the art. *Howard v. Detroit Stove Works*, 150 U.S. 164 (1893).

Engel also discloses a re-supply line 17 and a line formed between the storage tank 18 and holding tank 14, these lines cumulatively read on Applicant's claim for a circulation duct. Engel's teaching of a supply pump 13 reads on Applicant's claim for a circulation pump, and Engel's nozzle 36 reads on Applicant's claims for a spray nozzle.

5. Claims 7-10, 12, 13, and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engel as applied to claims above, and further in view of Lowther (US Patent No. 3,954,586).

Engel teaches the claimed invention, except fails to go into detail regarding the electrode set-up and its use with dielectric particles. Lowther, however, teaches the details of a corona generator, and specifically, the generator has a pair of parallel spaced-apart electrodes which are used with Titanium Dioxide and/or Alumina (col. 17, line 51; col. 18, line 17). Lowther indicates that a dielectric coating is provided on the internal facing surface of at least one of said electrodes, and correspondingly, the surfaces are individually coated (col. 20, claims 9-10). It would have been obvious to one of ordinary skill in the art at the time of the invention to dielectric particles Alumina and Titanium Dioxide with electrodes in an ozone making high-voltage generator in Engel, as taught by Lowther because Lowther teaches these dielectric particles are often desirable in achieving the highest possible dielectric constant (col. 18, lines 40-41).

Secondly, Engel fails to indicate an air supply in the electrode/generator set-up. However, Lowther discloses the known in the art means for air supply to the electrodes (col. 20, claim 12). The electrode/generator produces optimal amounts of ozone with a supply of air therethrough. It would have been obvious to one of ordinary skill in the art at the time of the invention to have an air supply as taught by Lowther in the apparatus of Engel, since Lowther provides motivation for having an air supply by teaching it is known in the art to optimize the air gap in the electrode/generator set-up. See also Fig. 9.

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6. Claims 11 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engel and Lowther as applied to claims above, and further in view of Matsumoto et al. herein referred to as "Matsumoto" (US Patent No. 5,768,730).

Engel and Lowther teach the claimed invention, except fail to disclose a contamination sensor in the washing machine. Contamination sensors are known in the art of washing machines and commonly used to sense the cleanliness of the washing water. Matsumoto teaches a washing machine having a contamination sensor (col. 10, line 45). It would have been obvious to one of ordinary skill in the art at the time of the invention to use a contamination sensor in a washing machine of Engel, as taught by Matsumoto to be known in the art. Measuring contamination in washing water is helpful in determining the efficacy of the washing machine; in the process of laundering it is necessary to provide clean/optimal washing fluid to achieve desired cleaning.

7. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Engel and Lowther as applied to claim 13 above, and further in view of Moody (US Patent No. 2,732,338).

Engel and Lowther teach the claimed invention except fail to indicate use of glass pellets with the Alumina. However, Moody teaches using glass beads in an electrode ozone generating machine. It would have been obvious to one of ordinary skill in the art at the time of the invention to use glass beads in the electrode/generator apparatus of Engel and Lowther, since Moody teaches it is beneficial to use since glass pellets are

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used to improve organic compound gas contact (col. 2, lines 38-42). Improving gas contact is desirable in ozone generating apparatuses.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rita R. Patel whose telephone number is (571) 272-8701. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



rrp



MICHAEL BARR
SUPERVISORY PATENT EXAMINER